

60137-046
149-3122-U

REMARKS

By this Preliminary Amendment, new claims 31-35 are presented. Applicant respectfully requests examination of this application.

Please charge \$258.00 to Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds for 5 claims in excess of 20 and two additional independent claims. If any additional fees or extensions of time are required, please charge to Deposit Account No. 50-1482.

Respectfully Submitted,
CARLSON, GASKEY & OLDS, P.C.



DAVID L. WISZ
Registration No. 46,350
Attorneys for Applicant
400 West Maple, Suite 350
Birmingham, Michigan 48009
(248) 988-8360

Dated: May 7, 2003

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REMARKS

The rejection of Claims 1-13 under 35 USC 103 as being unpatentable over Sorensen et al. 5,693,282 (the '282 patent) taken together with Sorensen et al. 5,372,773 (the '773 patent) is respectfully traversed for the following reasons.

Neither patent suggests retaining the head and the tip on different mold parts when the mold parts are separated and removing the tip from the second mold part subsequent to removal of the head from the first mold part, as recited in the claims. The '282 patent teaches retaining both the head and the tip on the same mold part when the mold parts are separated; whereas the '773 patent teaches the mutually exclusive method of retaining the head and the tip on different mold part when the mold parts are separated. Also, at column 3, line 67 to column 4, line 6, the '773 patent further teaches that the further separation of the mold parts causes the tip to be removed from the undercut region of second mold part while the head is still retained on the first mold part.

Therefore, even though the '282 patent teaches removing the tip subsequent to removal of the head, both the tip and the head are retained on the same mold part when the mold parts are separated, whereby the method of the present invention, in which the head and the tip are retained on different mold parts when the mold parts are separated and the tip is removed from the second mold part subsequent to removal of the head from the first mold part, is not suggested by the cited references whether applied separately or in combination. Also, in view of the above-described mutually exclusive differences in the teachings of the cited references, the cited references do not suggest any reason why their respective teachings should be combined.

The Examiner's reasoning in support of her assertion of obviousness is not supported because in the method of the '282 patent both the head and tip are retained on the same mold part, whereby there would not have been any reason why a person of ordinary skill in the art would have considered using an undercut on a different mold part to retain the tip on the different mold part, as taught by the '773 patent. Also, since the

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'773 patent teaches that further separation of the mold parts causes the tip to be separated from the second mold part, there would not have been any reason to remove the tip by air ejection, as taught in the '282 patent.

In addition, the applied references do not suggest the feature recited in Claim 12, to wit: using at least one ejector pin to remove the tip of the cable tie from the tip region of the second mold part.

Reconsideration and allowance are respectfully requested.

Respectfully submitted,

Dated May 12, 2003



Edward W. Callan
Attorney for Applicant(s)
Attorney Registration No. 24,720

Edward W. Callan
3830 Valley Centre Drive, No. 705, PMB 452
San Diego, California 92130

Telephone: (858) 259-5533
Facsimile: (858) 259-5537
Email: ecallan1@san.rr.com